

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JESSE BAKER, CARL BAKER,	)	
and MURINE W. BAKER,	)	
	)	
Plaintiffs	)	
	)	Case No. 3:07-0638
v.	)	Judge Echols/Knowles/Brown
	)	
SGT. MATTHEW MARSHALL and CITY	)	
OF WHITE HOUSE, TENNESSEE,	)	
	)	
Defendants	)	

**O R D E R**

A telephone conference was held with the parties in this matter on February 19, 2008, to discuss the status of the case. The attorney for the Plaintiffs has been allowed to withdraw. Ms. Baker stated that she had been out of town when most of the paperwork concerning the withdrawal of her former attorney occurred, and only learned of some of the circumstances at the end of January. She advised that she hoped to be able to secure the services of an attorney in the near future.

Unfortunately, in the interim, nothing has really been accomplished in the case since the Defendants' attorney was formerly communicating with the Plaintiffs' prior attorney, and was unsure how to proceed.

After discussing the matter with the parties, it appears that a new scheduling order is appropriate. The Plaintiffs may have until March 28, 2008, to secure the services of a new attorney or to begin to represent themselves.

Because of the nature of the injury in this case, it appears likely that expert testimony will be used. The Plaintiffs should make their expert disclosures on or before **June 3, 2008**. The Defendants' expert disclosures should be made on or before **August 4, 2008**. All discovery should be completed by **September 30, 2008**; dispositive motions shall be due **October 30, 2008**, and responses thereto shall be due **twenty-eight days** after any dispositive motions are filed. There will be no replies absent permission of the Court.

The Defendants' counsel advised that he had sent a tape from the surveillance camera of the police care to the Plaintiffs' prior attorney, and he advised he would send a copy of the tape to Ms. Baker. He also advised that he would send a proposed agreed order, allowing the release of the Bakers' son's treatment. The young Mr. Baker suffers from spina bivida, and there is an allegation that the actions of the Defendant caused additional injuries to him. The Magistrate Judge advised that he would sign such an agreed order upon its being filed with the Court. The medical records of the injured Plaintiff are relevant to this matter and the earlier they can be secured the easier it will be for all parties to proceed to resolve this matter.

The trial of this matter is presently set for **November 4, 2008**. After consulting with Senior Judge Echols' courtroom deputy, this matter is **reset** for **Tuesday, March 17, 2009 at 9:00 a.m.** The

Final Pretrial Conference is reset for **February 25, 2009 at 1:00 p.m.**

The **Clerk** should send all correspondence to the Plaintiffs at their address on record by regular and certified mail.

It is so **ORDERED**.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge for  
E. CLIFTON KNOWLES  
United States Magistrate Judge